

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

JUL 16 2019

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE MATTER OF AN APPLICATION)
OF THE UNITED STATES OF AMERICA)
FOR A WARRANT TO OBTAIN)
RECORDS, LOCATION INFORMATION,)
INCLUDING PRECISION LOCATION)
INFORMATION, CELL SITE)
INFORMATION, AND OTHER)
SIGNALING INFORMATION)
ASSOCIATED WITH THE CELLULAR)
TELEPHONE HAVING THE NUMBERS)
(314) 614-4763.)

No. 4:19 MJ 324 DDN

FILED UNDER SEAL

APPLICATION

COMES NOW the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Angie E. Danis, Assistant United States Attorney for said District, and hereby makes application to this Court for a warrant and order, pursuant to Title 18, United States Code, Sections 2703(c)(1)(A) and 3123, authorizing agents/officers of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and the United States Marshal Service (USMS) (hereinafter referred to as "investigative agency(ies)"), and other authorized federal/state/local law enforcement agencies, to obtain records and location information, including precision location information, cell site location information, and other signaling information, associated with the following cellular telephone, which is further identified as follows:

TELEPHONE NO.: (314) 614-4763

ESN/IMSI NO.: unknown

SUBSCRIBER: unknown

ADDRESS: unknown

(hereinafter the "**subject cellular telephone**").

I. Introduction & Relief Requested

1. The undersigned applicant for the Government is an Assistant United States Attorney in the Office of the United States Attorney for the Eastern District of Missouri, and an "attorney for the Government," as defined in Fed. R. Crim. P. 1(b)(1)(B). Therefore, pursuant to Title 18, United States Code, Sections 2703(c) and 3122(a)(1), the undersigned may apply for an Order authorizing the disclosure of the telecommunication records and information requested herein.

2. The **subject cellular telephone** is serviced by AT&T (hereinafter referred to as "the Service Provider"). The records and information requested herein are directed at location-related information and subscriber information associated with the **subject cellular telephone**, and may include information related to when the **subject cellular telephone** is located in a protected space, such as a residence. This application does not seek to compel or acquire the disclosure of the content of any communications.

3. Both ATF and USMS have probable cause to believe that the **subject cellular telephone** is currently being used by Terone Julion, who is charged with Conspiracy to Distribute Marijuana, in violation of Title 21, United States Code, Sections 841(a) and 846, and Brandishing a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c), in Case No. 4:19-CR-00531-HEA (JMB), and whose whereabouts are currently unknown.

4. The Government makes this application upon a showing of probable cause. Attached to this application and incorporated by reference as if fully set out herein is the affidavit

of ATF Special Agent Ryan Herring, which alleges facts in order to show that there is probable cause to believe that the location and arrest of Terone Julion can be obtained by locating and monitoring the location of the **subject cellular telephone**, without geographic limitation within the United States, including by obtaining precision location information (e.g., GPS information), cell site information, signaling information, and records concerning the **subject cellular telephone** for a period of forty-five (45) days measured from the date the Warrant is issued -- *i.e.*, from July 16, 2019, to August 29, 2019, 11:59 p.m. (CT).

5. The present application requests relief in three forms. First, the application requests relief in the form of precision location information, including GPS information, associated with the **subject cellular telephone**. Second, the application requests subscriber records and cell site information, which does not include precision location information, associated with the **subject cellular telephone**. Third, the application requests authorization for the installation and use of pen register and trap-and-trace devices.

II. Precision Location Information Request

1. The Government requests a warrant directing the Service Provider, any telecommunication service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications (herein incorporated by reference), and any other applicable service providers, to provide precision location information, including Global Position System (GPS) information, but not the contents of any communications, associated with the **subject cellular telephone**, for a period of forty-five (45) days from the date of any warrant issued hereon -- *i.e.*, from July 16, 2019, to August 29, 2019, 11:59 p.m. (CT).

2. The Service Provider is a service provider within the meaning of Title 18, United States Code, Section 2510(15), and as such, is subject to Title 18, United States Code, Section 2703(c)(1)(A) which states:

(c) Records concerning electronic communication service or remote computing service.--(1) A governmental entity may require a provider of electronic communication service or remote computing service to disclose a record of other information pertaining to a subscriber to or customer of such service (not including the contents of communications) only when the governmental entity--

(A) obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure...by a court of competent jurisdiction....

3. The Court has jurisdiction to issue a warrant for the disclosure of precision location information, as requested herein, because it is "a court of competent jurisdiction," as defined in Title 18, United States Code, Sections 2711(3), and 2703(a), (b), and (c). Specifically, the Court has jurisdiction over the offense being investigated.

4. Title 18, United States Code, Section 2703(g) provides that an officer is not required to be present for the service or execution of a warrant issued under Section 2703. In particular, Section 2703(g) states:

Notwithstanding section 3105 of this title, the presence of an officer shall not be required for service or execution of a search warrant issued in accordance with this chapter requiring disclosure by a provider of electronic communications service or remote computing service of the contents of communications or records or other information pertaining to a subscriber or customer of such service.

5. Title 18, United States Code, Section 2703(c)(3) permits the government to obtain the requested information and records without providing notice to any subscriber or customer. In

particular, Section 2703(c)(3) states: "A governmental entity receiving records or information under this subsection is not required to provide notice to a subscriber or customer."

III. Cell Site Location Information Request

1. The Government requests a warrant directing the Service Provider, any telecommunication service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications, and any other applicable service providers, to provide certain telecommunication records and information, including cell site location information, but not the contents of any communication, for the time period of thirty (30) days prior to the warrant and for forty-five (45) days from the date of the requested warrant -- *i.e.*, from July 16, 2019, to August 29, 2019, 11:59 p.m. (CT). In particular, the Government requests the following telecommunication records and information:

(1) subscriber information and all telephone numbers, ESN, MIN, IMEI, MSID or IMSI numbers, including any and all customer service records, credit and billing records, can-be-reached numbers (CBR), enhanced custom calling features, and primary long-distance carrier;

(2) subscriber information available for any originating telephone number;

(3) Automated Messaging Accounting (AMA) records (a carrier billing mechanism data base search which provides records of originating and terminating caller information for calls at the **subject cellular telephone**) for the above-specified time period;

(4) cellular telephone records and information pertaining to the following, for the above-specified time period:

(a) call detail information (provided in an electronic format specified by the agents/officers of the investigative agency(ies), and other authorized federal/state/local law enforcement agencies);

(b) cell site activation information, including information identifying the antenna tower receiving transmissions from the **subject cellular telephone** number, and any information on what portion of that tower is receiving a transmission from the **subject cellular telephone** number, at the beginning and end of a particular telephone call made to or received by the **subject cellular telephone** number;

(c) numbers dialed;

(d) call duration;

(e) incoming numbers if identified;

(f) signaling information pertaining to that number;

(g) a listing of all control channels and their corresponding cell sites;

(h) an engineering map showing all cell site tower locations, sectors and orientations; and

(i) subscriber information, including the names, addresses, credit and billing information, published and non-published for the telephone numbers being dialed from the **subject cellular telephone**.

(j) historical location estimates, such as Network Event Location System (NELOS), round-trip time (RTT), GPS, and per-call measurement data (PCMD) and

(k) Internet Protocol (IP addresses) utilized by and signaled to and from the **subject cellular telephone**.

2. The Service Provider is a service provider within the meaning of Title 18, United States Code, Section 2510(15), and as such, is subject to Title 18, United States Code, Section 2703(c)(1)(A) which states:

(c) Records concerning electronic communication service or remote computing service.--(1) A governmental entity may require a provider of electronic communication service or remote computing service to disclose a record of other information pertaining to a subscriber to or customer of such service (not including the contents of communications) only when the governmental entity--

(A) obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure...by a court of competent jurisdiction....

3. The Court has jurisdiction to issue a warrant for the disclosure of requested telecommunications records, including cell site records because it is "a court of competent jurisdiction," as defined in Title 18, United States Code, Sections 2711(3), and 2703(a), (b), and (c). Specifically, the Court has jurisdiction over the offense being investigated.

4. Title 18, United States Code, Section 2703(g) provides that an officer is not required to be present for the service or execution of a warrant issued under Section 2703. In particular, Section 2703(g) states:

Notwithstanding section 3105 of this title, the presence of an officer shall not be required for service or execution of a search warrant issued in accordance with this chapter requiring disclosure by a provider of electronic communications service or remote computing service of the contents of communications or records or other information pertaining to a subscriber or customer of such service.

5. Title 18, United States Code, Section 2703(c)(3) permits the government to obtain the requested information and records without providing notice to any subscriber or customer. In particular, Section 2703(c)(3) states: “A governmental entity receiving records or information under this subsection is not required to provide notice to a subscriber or customer.”

IV. Pen Register, Trap-and-Trace Request

1. The Government's application seeks an Order, pursuant to Title 18, United States Code, Section 3122, authorizing the installation and use of pen register and trap-and-trace devices, including enhanced caller identification, as defined in Title 18, United States Code, Section 3127, without geographic limitation within the United States, and including an Order authorizing the installation and use of a pen register to record or decode dialing, routing, addressing, or signaling information transmitted by the **subject cellular telephone** number further identified herein, and a trap-and-trace device, including enhanced caller identification, which captures the incoming electronic or other impulses which identify the originating number or other dialing, routing, addressing and signaling information reasonably likely to identify the source of a wire or electronic communication to and from the **subject cellular telephone** number, direct connect, Voice-over-LTE (VoLTE), non-content data transmissions, or digital dispatch dialings (if applicable), the dates and times of such dialings, and the length of time of the connections, for the time period from July 16, 2019, to August 29, 2019, 11:59 p.m. (CT).

2. In making this application, the Government does not seek the contents of any communication, such that other legal process would be required.

3. As previously outlined, the Government certifies that the information likely to be obtained through the aforesaid pen register and trap-and-trace devices, including enhanced caller identification, is relevant to an ongoing criminal investigation.

4. The Government further requests that the Order direct the telecommunications service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications, here incorporated by reference, and any other applicable service providers, to initiate caller identification on the subject cellular telephone number listed above, without the knowledge of or notification to the subscriber, for the purpose of registering incoming telephone numbers.

5. The Government further requests that the Order direct the furnishing of information, facilities, and technical assistance, as necessary, to unobtrusively accomplish the installation and use of the pen register and trap-and-trace devices, including enhanced caller identification, by the telecommunications service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications and any other applicable service providers, and with a minimum of disruption of normal telephone service.

6. The Government further requests that the Order direct that the results of the pen register and trap-and-trace devices, including enhanced caller identification, be provided to the agents/officers of the investigative agency(ies) at reasonable intervals for the duration of the Order.

V. Changed Numbers, Compensation and Sealing

1. The Government requests that should the subject cellular telephone and/or ESN, MIN, IMEI, MSID or IMSI number listed above be changed by the subscriber during the effective period of any Order granted as a result of this application, that the Court order the request for pen

register and trap-and-trace devices remain in effect for any new telephone to which the subject cellular telephone listed above is changed, throughout the effective period of such Order.

2. The Government further requests that the Order direct that the lead investigative agency provide the telecommunications service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications, and any other applicable service providers, just compensation for reasonable expenses incurred in providing such information, facilities and technical assistance.

VI. Sealing, Notification and Miscellaneous Considerations

1. Pursuant to Title 18, United States Code, Section 2703, the Government requests that the Court direct that the telecommunications service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications, and any other applicable service providers, shall provide the agents/officers of the investigative agency(ies), and other authorized federal/state/local law enforcement agencies, with the following:

- (1) subscriber information;
- (2) length of service (including start date);
- (3) the types of service utilized;
- (4) instrument number or other subscriber number or identity, including any temporarily assigned network address;
- (5) all available names, addresses, and identifying information, and other subscriber and service feature information;
- (6) toll records including incoming and outgoing telephone numbers;

(7) credit information, billing information, and air-time summaries for available service periods, for the IP (internet protocol) addresses being utilized by and signaled to and from the aforementioned subject cellular telephone, for the telephone numbers being dialed to and from the aforementioned **subject cellular telephone** at reasonable intervals for the past thirty (30) days from the date of this Warrant and at reasonable intervals for up to forty-five (45) days from the date of this Warrant -- *i.e.*, from July 16, 2019, to August 29, 2019, 11:59 p.m. (CT).

2. Pursuant to Title 18, United States Code, Section 2703(c)(3), the Government entity or agency receiving these records or information as a result of this application and accompanying warrant and order will not provide notice to the subscriber or customer of the **subject cellular telephone**.

3. This Court has authority under Title 18, U.S.C., Section 2705(b) to issue "an order commanding a provider of electronic communications service or remote computing service to whom a warrant, subpoena, or court order is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant, subpoena, or court order." *Id.*

4. In this case, such an order is appropriate because the Government seeks the warrant in part under the authority granted to this court pursuant to Title 18, U.S.C., Section 2703. The requested warrant is related to an ongoing criminal investigation that is not public and this portion of the investigation is not known to the subjects of the investigation. Premature notification may alert the subject(s) to the existence of the investigation. If the subjects were notified about the existence of the requested warrant, the subjects could destroy evidence. Accordingly, there is

reason to believe that notification of the existence of the warrant will seriously jeopardize the investigation, including giving the subjects an opportunity to: flee, destroy and/or tamper with evidence; change patterns of behavior; or notify confederates. *See* Title 18, U.S.C., Section 2705(b)(2), (3), and (5). Based on the nature and circumstances of the investigation, there is also reason to believe that notification of the existence of the warrant will result in endangering the life or physical safety of an individual, or the intimidation of potential witnesses. *See* Title 18, U.S.C., Section 2705(b)(1) and (4).

5. Based on the foregoing, pursuant to Title 18, United States Code, Sections 3123(d)(1) and (2) and 2705(b), the Government requests that the Court direct the Service Provider and the telecommunications service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications, and any other applicable service providers, not to disclose the existence of this application and/or any warrant or order issued upon this application, or the existence of the investigation, for a period of one year from the date of this Order, to a subscriber or lessee or to any other person, except that the provider may disclose the warrant and any Order to an attorney for the provider for the purpose of receiving legal advice.

6. The information requested herein does not require a physical intrusion or physical trespass into any protected space. Accordingly, it is respectively requested that the warrant authorize the investigative agency(ies), and other authorized federal/state/local law enforcement agencies, to obtain the location information described herein at any time, day or night.

7. The Government further requests that the Order direct that the investigative agency(ies) provide the telecommunication providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications, and any other applicable service

providers, just compensation for reasonable expenses incurred in providing such information, facilities and technical assistance.

8. In light of the ongoing nature of the investigation as reflected in the attached affidavit, and because disclosure at this time would seriously jeopardize the investigation, including by giving the subject(s) an opportunity to destroy and/or tamper with evidence and flee, applicant requests that the application, affidavit and warrant be sealed.

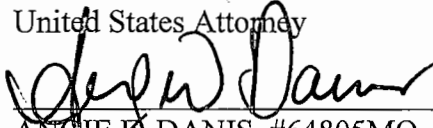
WHEREFORE, on the basis of the allegations contained in this application, and on the basis of the affidavit of ATF Special Agent Ryan Herring, which is attached hereto and made a part hereof, applicant requests this Court to issue a Warrant authorizing agents/officers of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and the United States Marshal Service (USMS) (the investigative agency(ies)), and other authorized federal/state/local law enforcement agencies, to obtain location information, including precision location information, cell site location information, and other signaling information associated with the **subject cellular telephone**.

I declare under penalty of perjury that the foregoing is true and correct to the best of my current knowledge, information, and belief.

Dated this 16th day of July, 2019.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney


ANGIE E. DANIS, #64805MO
Assistant United States Attorney

LIST OF TELECOMMUNICATION SERVICE PROVIDERS

AT&T

and

01 Communications Access Line Communication ACN, Inc. ACS Aero Communications, Inc. (IL) Afford A Phone Airvoice Wireless Alaska Communications Alhambra-Grantfx Telephone Altice USA AmeriTel AOL Corp. Arch Communication AT&T AT&T Mobility Bell Aliant Big River Telephone Birch Telecom Blackberry Corporation Brivia Communications Broadview Networks Broadvox Ltd. Budget Prepay Bulls Eye Telecom Call Wave Cbeyond Inc. CCPR Services Celco Partnership, d/b/a Verizon Wireless Cellular One Cellular South Centennial Communications CenturyLink Charter Communications Chickasaw Telephone Choctaw Telephone Company Cimco Comm Cincinnati Bell Cinergy Communications Clear World Communication Com-Cast Cable Comm. Commercial Communications Consolidated Communications Cox Communications Cricket Wireless Custer Telephone Cooperative DBS Communications Delta Communications Detroit Cellular Dobson Cellular	Egyptian Telephone Electric Lightwave, Inc. Empire Paging Ernest Communications EZ Talk Communications FDN Communications Fibernet Comm Florida Cell Service Florida Digital Network Focal Communications Frontier Communications FuzeBox, Inc. Gabriel Comm Galaxy Paging Global Communications Global Eyes Communications Global Naps Grafton Telephone Company Grand River Grande Comm Great Plains Telephone Harrisonville Telephone Co. Heartland Communications Hickory Telephone Huxley Communications iBasis IDT Corporation Illinois Valley Cellular Insight Phone Integra Iowa Wireless IQ Telecom J2 Global Communications Leap Wireless International Level 3 Communications Locus Communications Logix Communications Longlines Wireless Los Angeles Cellular Lunar Wireless Madison River Communications Madison/Macoupin Telephone Company Mankato Citizens Telephone Map Mobile Comm Marathon Comm Mark Twain Rural Max-Tel Communications Metro PCS Metro Teleconnect	Mid-Atlantic Midvale Telephone Exchange Mobile Communications Mound Bayou Telephone Co. Mpower Communications Navigator Telecommunications NE Nebraska Telephone Netlink Comm Network Services Neustar Neutral Tandem Nex-Tech Wireless Nexus Communications NII Comm North Central Telephone North State Comm Northcoast Communications Novacom Ntera NTS Communications Oklahoma City SMSA ONE Communications ONSTAR Optel Texas Telecom Orion Electronics PacBell PacWest Telecom PAETEC Communications Page Plus Communications Page Mart, Inc. Page Net Paging Panhandle Telephone Peerless Network Pineland Telephone PhoneTech PhoneTel Preferred Telephone Priority Communications Puretalk RCN Telecom RNK Telecom QWEST Communications Sage Telecom Seren Innovations Shentel Sigecom LLC Sky Tel Paging Smart Beep Paging Smart City Telecom	Socket Telecom Spectrum Sprint SRT Wireless Star Telephone Company Start Wireless Sugar Land Telephone Sure West Telephone Company Talk America Tele Touch Comm Telecorp Comm Telepak Telispire PCS Telnet Worldwide Tex-Link Comm Time Warner Cable T-Mobile Total Call International Tracfone Wireless Trinity International U-Mobile United Telephone of MO United Wireless US Cellular US Communications US LEC US Link US West Communications USA Mobility VarTec Telecommunications Verisign Verizon Telephone Company Verizon Wireless Viaero Wireless Virgin Mobile Vonage Holdings Wabash Telephone Wave2Wave Communications Weblink Wireless Western Wireless Westlink Communications WhatsApp Windstream Communications Wirefly XFINITY XO Communications Xspedius Yakdin Valley Telephone YMAX Communications Ztel Communications
--	--	--	--

**ATTACHMENT 1, TO INCLUDE PROVIDERS OF ANY TYPE OF WIRE AND/OR
ELECTRONIC COMMUNICATIONS**

Last Update: 06/21/2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

JUL 16 2019

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE MATTER OF AN APPLICATION)
OF THE UNITED STATES OF AMERICA)
FOR A WARRANT TO OBTAIN)
RECORDS, LOCATION INFORMATION,)
INCLUDING PRECISION LOCATION)
INFORMATION, CELL SITE)
INFORMATION, AND OTHER)
SIGNALING INFORMATION)
ASSOCIATED WITH THE CELLULAR)
TELEPHONE HAVING THE NUMBERS)
(314) 614-4763.)

No. 4:19 MJ 324 DDN

FILED UNDER SEAL

AFFIDAVIT

Ryan Herring, being duly sworn, deposes and says that he is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), duly appointed according to law and acting as such.

Introduction

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), currently assigned to the Saint Louis, Missouri Field Office and have been so employed since December of 2018. Prior to employment with ATF, I was previously employed as a Police Officer with the Illinois State Police from 2016 to 2018. Your affiant currently conducts criminal investigations into cases of illegal possession/transfer of firearms, firearms trafficking, violent crimes involving firearms, and narcotics trafficking and narcotics possession. The facts alleged in this affidavit come from my own investigation, my training and experience, and information obtained from other investigators and witnesses. As this affidavit is submitted for the limited purpose of establishing probable cause to locate and monitor the location of a cellular telephone

as part of a criminal investigation, it does not set forth all of the my knowledge regarding this matter.

2. Upon information and belief, and as explained in greater detail below, the cellular telephone bearing number (314) 614-4763 (hereinafter the "**subject cellular telephone**"), which is being serviced by AT&T (hereinafter referred to as "the Service Provider"), has been used, and is presently being used by Terone Julion, who is charged with Conspiracy to Distribute Marijuana, in violation of Title 21, United States Code, Sections 841(a) and 846, and Brandishing a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c), in Case No. 4:19-CR-00531, and whose whereabouts are currently unknown.

3. The present affidavit is being submitted in connection with an application of the Government for a warrant and order authorizing agents/officers of the investigative agency(ies), and other authorized federal/state/local law enforcement agencies, to obtain location information, including precision location information, cell site location information, and other signaling information, including pen register information, in an effort to locate and monitor the location of the **subject cellular telephone**.

4. Your affiant further states that there is probable cause to believe that the location information associated with the **subject cellular telephone** will lead to the location and arrest of Terone Julion.

Investigation and Probable Cause

5. On or about July 11, 2019, an Indictment was returned and an arrest warrant was issued against Terone Julion, for violations of Title 21, United States Code, Sections 841(a) and 846, and Title 18, United States Code, Section 924(c), which are alleged to have occurred on or about June

24, 2019. A co-defendant on Julion's case is a subject by the name of Darrion Bridgett, who is currently in federal custody and confined on separate charges.

6. As part of the investigation into the whereabouts of Terone Julion, members of the investigative team began monitoring the jail calls of Darrion Bridgett, who is confined at the St. Louis City Justice Center. On or about July 11, 2019, Darrion Bridgett made a phone call to the **subject cellular telephone**. During this conversation, the male subject with whom Bridgett was conversing identified himself as "Binky," which your affiant knows to be the street moniker for Terone Julion.

7. The investigation has clearly demonstrated that the **subject cellular telephone** is being used by Terone Julion, who is charged with Conspiracy to Distribute Marijuana, in violation of Title 21, United States Code, Sections 841(a) and 846, and Brandishing a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c), in Case No. 4:19-CR-00531-HEA (JMB), and whose whereabouts are currently unknown. It is critical that the investigative team be able to locate and monitor the movements of the **subject cellular telephone** thereby assisting in the location and arrest of Terone Julion. Your affiant believes that the requested authorization would be a valuable asset in achieving the overall goals of the investigation.

Investigative Considerations and Techniques

8. Based on my knowledge, training, and experience, as well as information provided by investigators with specialized experience relating to cellular telephone technology, I am aware of the following facts and considerations:

A. Wireless phone providers typically generate and retain certain transactional information about the use of each telephone call, voicemail, and text message on their system. Such information can include log files and messaging logs showing all activity on a particular account, such as local and long distance telephone connection records, records of session times and durations, lists of all incoming and outgoing telephone numbers or other addressing information associated with particular telephone calls, voicemail messages, and text or multimedia messages.

B. Wireless phone providers also typically generate and retain information about the location in which a particular communication was transmitted or received. For example, when a cellular device is used to make or receive a call, text message or other communication, the wireless phone provider will typically generate and maintain a record of which cell tower(s) was/were used to process that contact. Wireless providers maintain information, including the corresponding cell towers (i.e., tower covering specific geographic areas), sectors (i.e., faces of the towers), and other signaling data as part of their regularly conducted business activities. Typically, wireless providers maintain records of the cell tower information associated with the beginning and end of a call.

C. Because cellular devices generally attempt to communicate with the closest cell tower available, cell site location information from a wireless phone provider allows investigators to identify an approximate geographic location from which a communication with a particular cellular device originated or was received.

D. Wireless providers may also retain text messaging logs that include specific information about text and multimedia messages sent or received from the account, such as the

dates and times of the messages. A provider may also retain information about which cellular handset or device was associated with the account when the messages were sent or received. The provider could have this information because each cellular device has one or more unique identifiers embedded inside it. Depending upon the cellular network and the device, the embedded unique identifiers for a cellular device could take several different forms, including an Electronic Serial Number ("ESN"), a Mobile Electronic Identity Number ("MEIN"), a Mobile Identification Number ("MIN"), a Subscriber Identity Module ("SIM"), an International Mobile Subscriber Identifier ("IMSI"), or an International Mobile Station Equipment Identity ("IMEI"). When a cellular device connects to a cellular antenna or tower, it reveals its embedded unique identifiers to the cellular antenna or tower in order to obtain service, and the cellular antenna or tower records those identifiers.

E. Wireless providers also maintain business records and subscriber information for particular accounts. This information could include the subscriber's full name and address, the address to which any equipment was shipped, the date on which the account was opened, the length of service, the types of service utilized, the ESN or other unique identifier for the cellular device associated with the account, the subscriber's Social Security Number and date of birth, all telephone numbers and other identifiers associated with the account, and a description of the services available to the account subscriber. In addition, wireless providers typically generate and retain billing records for each account, which may show all billable calls (including outgoing digits dialed). The providers may also have payment information for the account, including the dates and times of payments and the means and source of payment (including any credit card or bank account number).

F. Providers of cellular telephone service also typically have technical capabilities that allow them to collect and generate more precise location information than that provided by cell site location records. This information is sometimes referred to as E-911 phase II data, GPS data or latitude-longitude data. In the Eastern District of Missouri, such information is often referred to as "precision location information" or "PLI" data. E-911 Phase II data provides relatively precise location information about the cellular telephone itself, either via GPS tracking technology built into the phone or by attempting to triangulate the device's signal using data from several of the provider's cell towers. Depending on the capabilities of the particular phone and provider, E-911 data can sometimes provide precise information related to the location of a cellular device.

9. In order to locate the **subject cellular telephone** and monitor the movements of the phone, the investigative agency(ies), and other authorized federal/state/local law enforcement agencies, may need to employ one or more techniques described in this affidavit and in the application of the government. The investigative agency(ies), and other authorized federal/state/local law enforcement agencies, may seek a warrant to compel the Service Provider, any telecommunication service providers reflected in Attachment 1, to include providers of any type of wire and/or electronic communications (herein incorporated by reference), and any other applicable service providers, to provide precision location information, including Global Position System information (if available), transactional records, including cell site location information, and pen register and trap-and-trace data.

10. None of the investigative techniques that may be employed as a result of the present application and affidavit require a physical intrusion into a private space or a physical trespass. Electronic surveillance techniques such as pen register and cell site location monitoring typically

have not been limited to daytime use only. Furthermore, the criminal conduct being investigated is not limited to the daytime. Therefore, the fact that the present application requests a warrant based on probable cause should not limit the use of the requested investigative techniques to daytime use only. Accordingly, the investigative agency(ies), and other authorized federal/state/local law enforcement agencies, request the ability to employ these investigative techniques at any time, day or night.

11. The monitoring of the location of the **subject cellular telephone** by one of the methods described herein will begin within ten (10) days of the date of issuance of the requested Warrant and Order.

Conclusion

12. Based on the above information, there is probable cause to believe that the **subject cellular telephone** is being used by Terone Julion, who is charged with Conspiracy to Distribute Marijuana, in violation of Title 21, United States Code, Sections 841(a) and 846, in Case No. 4:19-CR-00531-HEA (JMB), and whose whereabouts are currently unknown. There is likewise probable cause to conclude that locating and monitoring the movements of the **subject cellular telephone** will lead to the location and arrest of Terone Julion.

07/16/19
DATE

R. Herring
RYAN HERRING
Special Agent
Bureau of Alcohol, Tobacco, Firearms, and
Explosives (ATF)

Sworn to and subscribed before me this 16th day of July, 2019.

David D. Noce
DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE
Eastern District of Missouri

LIST OF TELECOMMUNICATION SERVICE PROVIDERS

AT&T

and

01 Communications	Egyptian Telephone	Mid-Atlantic	Socket Telecom
Access Line Communication	Electric Lightwave, Inc.	Midvale Telephone Exchange	Spectrum
ACN, Inc.	Empire Paging	Mobile Communications	Sprint
ACS	Ernest Communications	Mound Bayou Telephone Co.	SRT Wireless
Aero Communications, Inc. (IL)	EZ Talk Communications	Mpower Communications	Star Telephone Company
Afford A Phone	FDN Communications	Navigator	Start Wireless
Airvoice Wireless	Fibernet Comm	Telecommunications	Sugar Land Telephone
Alaska Communications	Florida Cell Service	NE Nebraska Telephone	Sure West Telephone Company
Alhambra-Grantfx Telephone	Florida Digital Network	Netlink Comm	Talk America
Altice USA	Focal Communications	Network Services	Tele Touch Comm
AmeriTel	Frontier Communications	Neustar	Telecorp Comm
AOL Corp.	FuzeBox, Inc.	Neutral Tandem	Telepak
Arch Communication	Gabriel Comm	Nex-Tech Wireless	Telispire PCS
AT&T	Galaxy Paging	Nexus Communications	Telnet Worldwide
AT&T Mobility	Global Communications	NII Comm	Tex-Link Comm
Bell Aliant	Global Eyes Communications	North Central Telephone	Time Warner Cable
Big River Telephone	Global Naps	North State Comm	T-Mobile
Birch Telecom	Grafton Telephone Company	Northcoast Communications	Total Call International
Blackberry Corporation	Grand River	Novacom	Tracfone Wireless
Brivia Communications	Grande Comm	Ntera	Trinity International
Broadview Networks	Great Plains Telephone	NTS Communications	U-Mobile
Broadvox Ltd.	Harrisonville Telephone Co.	Oklahoma City SMSA	United Telephone of MO
Budget Prepay	Heartland Communications	ONE Communications	United Wireless
Bulls Eye Telecom	Hickory Telephone	ONSTAR	US Cellular
Call Wave	Huxley Communications	Optel Texas Telecom	US Communications
Cbeyond Inc.	iBasis	Orion Electronics	US LEC
CCPR Services	IDT Corporation	PacBell	US Link
Cellco Partnership, d/b/a Verizon Wireless	Illinois Valley Cellular	PacWest Telecom	US West Communications
Cellular One	Insight Phone	PAETEC Communications	USA Mobility
Cellular South	Integra	Page Plus Communications	VarTec Telecommunications
Centennial Communications	Iowa Wireless	Page Mart, Inc.	Verisign
CenturyLink	IQ Telecom	Page Net Paging	Verizon Telephone Company
Charter Communications	J2 Global Communications	Panhandle Telephone	Verizon Wireless
Chickasaw Telephone	Leap Wireless International	Peerless Network	Viaero Wireless
Choctaw Telephone Company	Level 3 Communications	Pineland Telephone	Virgin Mobile
Cimco Comm	Locus Communications	PhoneTech	Vonage Holdings
Cincinnati Bell	Logix Communications	PhoneTel	Wabash Telephone
Cinergy Communications	Longlines Wireless	Preferred Telephone	Wave2Wave Communications
Clear World Communication	Los Angeles Cellular	Priority Communications	Weblink Wireless
Com-Cast Cable Comm.	Lunar Wireless	Puretalk	Western Wireless
Commercial Communications	Madison River	RCN Telecom	Westlink Communications
Consolidated Communications	Communications	RNK Telecom	WhatsApp
Cox Communications	Madison/Macoupin Telephone Company	QWEST Communications	Windstream Communications
Cricket Wireless	Mankato Citizens Telephone	Sage Telecom	Wirefly
Custer Telephone Cooperative	Map Mobile Comm	Seren Innovations	XFINITY
DBS Communications	Marathon Comm	Shentel	XO Communications
Delta Communications	Mark Twain Rural	Sigecom LLC	Xspedius
Detroit Cellular	Max-Tel Communications	Sky Tel Paging	Yakdin Valley Telephone
Dobson Cellular	Metro PCS	Smart Beep Paging	YMAX Communications
	Metro Teleconnect	Smart City Telecom	Ztel Communications

**ATTACHMENT 1, TO INCLUDE PROVIDERS OF ANY TYPE OF WIRE AND/OR
ELECTRONIC COMMUNICATIONS**

Last Update: 06/21/2018